

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**PLANET GROUP, INC., a Nebraska  
corporation; and PLANET MERCHANT  
PROCESSING, INC.,**

**Plaintiffs,**

**vs.**

**KIMBERLI GEIKEN, and EVO  
MERCHANT SERVICES, INC.,**

**Defendants.**

**8:17CV169**

**ORDER OF DISMISSAL**

This matter is before the Court on the parties' Stipulation for Dismissal Without Prejudice, ECF No. 26. This action was previously consolidated with *Planet Merchant Processing, Inc. v. Kim Geiken and EVO Merchant Services, LLC*, Case No. 17-AP-8002, originally pending in the United States Bankruptcy Court for the District of Nebraska. See ECF No. 22. The Stipulation for Dismissal complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The above-captioned action will be dismissed, without prejudice, and the Court will not assess costs or attorney's fees. Accordingly,

**IT IS ORDERED:**

1. The Stipulation for Dismissal Without Prejudice, ECF No. 26, is approved;
2. The above-captioned action is dismissed, without prejudice;
3. Any pending motions are terminated; and
4. The Court will not assess costs or attorney's fees.

Dated this 20th day of December, 2017.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge